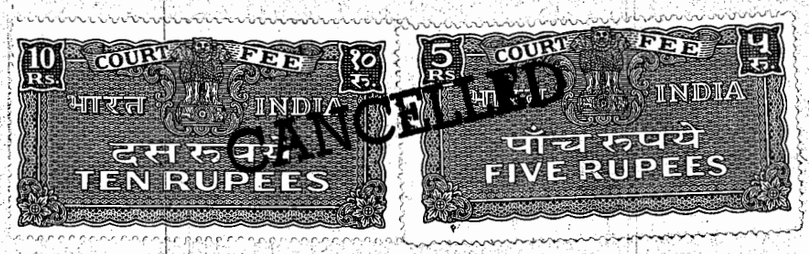

(1) (3) of 151

IN THE HIGH COURT OF JUDICATURE AT BILASPUR: CHHATTISGARH

CIVIL REVISION NO. 87 OF 2003

Applicants Defendants

1. State of Madhya Pradesh (Now Chhattisgarh) Through the Collector Distt. Sarguja Ambikapur

2. Dy. Director School Education Education District Ramanujganj Office: Nawapara Ambikapur Distt. Sarguja (C.G.)

P. R. No. 1621/03
Presented by Shri Shamila Shukla
dated 21.03.03

VERSUS

Respondent Plaintiff

Hariram Agrawal
Aged about 63 years
S/o Budhram Agrawal
Proprietor: M/s jagadamba Store, R/o Deviganj Road
Ambikapur
Distt. Sarguja (C.G.)

CIVIL REVISION UNDER SECTION 115 OF THE CODE OF CIVIL PROCEDURE 1908

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक CR-87/ सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

25.04.2003

Shri A.D. Vaishnav, Panel Lawyer for the State.

Having heard learned counsel, the Court is not inclined to entertain this revision petition as no jurisdictional error can be said to have been committed by the Court below.

The order-dated 24.01.2003 indicates that similar prayers were made earlier and were rejected by the Court below. Be that as it may, the documents, which were sought to be brought on record are within the possession of the State though with the Police department. Therefore, the question of granting permission to adduce secondary evidence does not arise. As regards the other submissions it may be mentioned that Order 16 Rule 1-A relates to examination of witness who is present in the Court though not summoned, thus the question of obtaining permission to examine the said witness does not arise under that provision. Order 16 Rule 14 will apply when the Court desires the examination of some witness who may not have been examined by any party and whose evidence the Court considers necessary. That apart, even if the applications in question were allowed that would not have disposed of the suit. Accordingly, the revision is dismissed. Consequently, M.W.P. No.321/2003 for interim relief also stands dismissed.

Sd/-
P.C. Naik
Judge

[पीछे देखिये

Roshan